

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: ALABAMA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement
	A. <u>General Conditions of Eligibility</u>
	Each individual covered under the plan:
42 CFR Part 435, Subpart G	1. Is financially eligible (using the methods and standards described in Parts B and C of this Attachment) to receive services.
42 CFR Part 435, Subpart F	2. Meets the applicable non-financial eligibility conditions.
	a. For the categorically needy:
	(i) Except as specified under items A.2.a.(ii) and (iii) below, for AFDC-related individuals, meets the non-financial eligibility conditions of the AFDC program.
	(ii) For SSI-related individuals, meets the non-financial criteria of the SSI program or more restrictive SSI-related categorically needy criteria.
1902(l) of the Act	(iii) For financially eligible pregnant women, infants or children covered under sections 1902(a)(10)(A)(i)(IV), 1902(a)(10)(A)(i)(VI), 1902(a)(10)(A)(i)(VII), and 1902(a)(10)(A)(ii)(IX) of the Act, meets the non-financial criteria of section 1902(l) of the Act.
1902(m) of the Act	(iv) For financially eligible aged and disabled individuals covered under section 1902(a)(10)(A)(ii)(X) of the Act, meets the non-financial criteria of section 1902(m) of the Act.

State: Alabama

Citation	Condition or Requirement
1905(p) of the Act	b. For the medically needy, meets the non-financial eligibility conditions of 42 CFR Part 435.
1905(s) of the Act	c. For financially eligible qualified Medicare beneficiaries covered under section 1902(a)(10)(E)(i) of the Act, meets the non-financial criteria of section 1905(p) of the Act.
42 CFR 435.402/6	d. For financially eligible qualified disabled and working individuals covered under section 1902(a)(10)(E)(ii) of the Act, meets the non-financial criteria of section 1905(s).
Sec. 245A of the Immigration and Nationality Act	3. Is residing in the United States and-- a. Is a citizen;
1902(a) and 1903(v) of the Act and 245(h)(3)(B) of the Immigration & Nationality Act	b. Is an alien lawfully admitted for permanent residence or otherwise permanently residing in the United States under color of law, as defined in 42 CFR 435.408;
	c. Is an alien granted lawful temporary resident status under section 245A and 210A of the Immigration and Nationality Act if the individual is aged, blind, or disabled as defined in section 1614(a)(1) of the Act, under 18 years of age or a Cuban/Haitian entrant as defined in section 501(e)(1) and (2)(A) of P.L. 96-422.

State: Alabama

Citation	Condition or Requirement
	d. Is an alien granted lawful temporary resident status under section 210 of the Immigration and Nationality Act not within the scope of c. above (coverage must be restricted to certain emergency services during the five-year period beginning on the date the alien was granted such status); or
	e. Is an alien who is not lawfully admitted for permanent residence or otherwise permanently residing in the United States under color of law (coverage must be restricted to certain emergency services).
42 CFR 435.403 1902(b) of the Act	4. Is a resident of the State, regardless of whether or not the individual maintains the residence permanently or maintains it at a fixed address.
	<input checked="" type="checkbox"/> State has interstate residency agreement with the following States:
	California Kentucky New Jersey Texas Florida Louisiana New Mexico Iowa Georgia Ohio Wisconsin Minnesota Mississippi Pennsylvania Tennessee
	<input type="checkbox"/> State has open agreement(s).
	<input type="checkbox"/> Not applicable; no residency requirement.

State/Territory: Alabama

Citation	Condition or Requirement
42 CFR 435.1008	5. a. Is not an inmate of a public institution. Public institutions do not include medical institutions, intermediate care facilities, or publicly operated community residences that serve no more than 16 residents, or certain child care institutions.
42 CFR 435.1008 1905(a) of the Act	b. Is not a patient under age 65 in an institution for mental diseases except as inpatient under age 22 receiving active treatment in an accredited psychiatric facility or program. <input type="checkbox"/> Not applicable with respect to individuals under age 22 in psychiatric facilities or programs. Such services are not provided under the plan.
42CFR 433.145 1912 of the Act	6. Is required, as a condition of eligibility, to assign his or her own rights, or the rights of any other person who is eligible for Medicaid and on whose behalf the individual has legal authority to execute an assignment, to medical support and payments for medical care from any third party. (Medical support is defined as support specified as being for medical care by a court or administrative order)

State/Territory: Alabama

Citation

Condition or Requirement

An applicant or recipient must also cooperate in establishing the paternity of any eligible child and in obtaining medical support and payments for himself or herself and any other person who is eligible for Medicaid and on whose behalf the individual can make an assignment; except that individuals described in §1902(1)(1)(A) of the Social Security Act (pregnant women and women in the post-partum period) are exempt from these requirements involving paternity and obtaining support. Any individual may be exempt from the cooperation requirements by demonstrating good cause for refusing to cooperate.

An applicant or recipient must also cooperate in identifying any third party who may be liable to pay for care that is covered under the State Plan and providing information to assist in pursuing these third parties. Any individuals may be exempt from the cooperation requirements by demonstrating good cause for refusing to cooperate.

/ X / Assignment of rights is automatic because of State law.

42 CFR 435.910

7. Is required, as a condition of eligibility, to furnish his/her social security account number (or numbers, if he/she has more than one number).

State: Alabama

Citation	Condition or Requirement
1902(c)(2)	8. Is not required to apply for AFDC benefits under title IV-A as a condition of applying for, or receiving, Medicaid if the individual is a pregnant woman, infant, or child that the State elects to cover under sections 1902(a)(10)(A)(i)(IV) and 1902(a)(10)(A)(ii)(IX) of the Act.
1902(e)(10)(A) and (B) of the Act	9. Is not required, as an individual child or pregnant woman, to meet requirements under section 402(a)(43) of the Act to be in certain living arrangements. (Prior to terminating AFDC individuals who do not meet such requirements under a State's AFDC plan, the agency determines if they are otherwise eligible under the State's Medicaid plan.)

State: Alabama

Citation	Condition or Requirement
1906 of the Act	10. Is required to apply for enrollment in an employer-based cost-effective group health plan, is such plan is available to the individual. Enrollment is a condition of eligibility except for the individual who is unable to enroll on his/her own behalf (failure of a parent to enroll a child does not affect a child's eligibility).

State: Alabama

Citation	Condition or Requirement
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B. Posteligibility Treatment of Institutionalized Individuals' Incomes:

1. The following items are not considered in the posteligibility process:

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|-------------------------|---|
| 1902(o) of the Act | a. SSI and SSP benefits paid under Sections 1611(e)(1)(E) and (G) of the Act to individuals who receive care in a hospital, nursing home, SNF, or ICF. |
| Bondi v. Sullivan (SSI) | b. Austrian Reparation Payments (pension (reparation) payments made under Sections 500-506 of the Austrian General Social Insurance Act). Applies only if State follows SSI program rules with respect to the payments. |
| 1902(r)(1) of the Act | c. German Reparation Payments (reparation payments made by the Federal Republic of Germany). |
| 105/206 of P.L. 100-383 | d. Japanese and Aleutian Restitution Payments. |
| 1.(a) of P.L. 103-286 | e. Netherlands Reparation Payments based on Nazi, but not Japanese, persecution (during World War II). |
| 10405 of P.L. 101-239 | f. Payments from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement of the Agent Orange product liability litigation, M.D.L. No. 381 (E.D.N.Y.). |
| 6(h)(2) of P.L. 101-426 | g. Radiation Exposure Compensation. |
| 12005 of P.L. 103-66 | h. VA pensions limited to \$90.00 per month under 38 U.S.C. 5503. |

State: Alabama

Citation Condition or Requirement

1924 of the
Act
435.725
435.733
435.832

2. The following amounts for personal needs are deducted from total income in the application of an individual's or couple's income to the cost of institutional care:

Personal Needs Allowance (PNA) of not less than \$30 for Individuals and \$60 for couples for all institutional persons.

- a. Aged, blind, disabled --
Individuals \$30.00
Couples \$Not Applicable

For the following persons with greater need:

Supplement 14 to Attachment 2.6-A describes the greater need; describes the basis or formula for amount if not listed above; lists the criteria to be met; and where appropriate, identifies the authority for approving that a criterion is met.

- b. AFDC related:
Children \$ _____
Adults \$ _____

For the following persons with a greater need:

Supplement 14 to Attachment 2.6-A describes the greater need; describes the basis or formula for determining the deductible amount when a specific amount is not listed above; lists the criteria to be met; and where appropriate, identifies the authority for approving that a criterion is met.

- c. Individual under age 21 covered in the plan as specified in Item B.7 of Attachment 2.2-A
\$ _____

For the following persons with a greater need:

Supplement 14 to Attachment 2.6-A describes the greater need; describes the basis or formula for determining the

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State: Alabama

Citation

Condition or Requirement

deductible amount when a specific amount is not listed above; lists the criteria to be met; and where appropriate, identifies the authority for approving that a criterion is met.

1924 of the
Act

3. In addition to the amounts under item 2., the following monthly amounts are deducted from the remaining income of an institutionalized individual with a community spouse:
- a. The monthly income allowance for the community spouse, calculated using the formula in Section 1924(d)(2), is the amount by which the maintenance needs standard exceeds the community spouse's income. The maintenance needs standard cannot exceed the maximum prescribed in Section 1924(d)(3)(C). The maintenance needs standard consists of a poverty level component plus an excess shelter allowance.
 - The poverty level component is calculated using the applicable percentage (set out in Section 1924(d)(3)(B) of the Act) of the official poverty level.
 - The poverty level component is calculated by using a percentage greater than the applicable percentage, equal to _____%, of the official poverty level (still subject to maximum maintenance needs standard).
 - The maintenance needs standard for all community spouses is set at the maximum permitted by 1924 (d)(3)(C).

State: Alabama

Citation	Condition or Requirement
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Except that, when applicable, the State will set the community spouse's monthly income allowance at the amount by which exceptional maintenance needs, established at a fair hearing, exceed the community spouse's income, or the amount of any court ordered support.

In determining excess shelter allowance, utility expenses are calculated using:

 the standard utility allowance under Section 5(e) of the Food Stamp Act of 1977; or

 x the actual unreimbursable amount of the community spouse's utility expenses less any portion of such amount included in condominium or cooperative charges.

b. The monthly income allowance for other dependent family members living with the community spouse is:

 x one-third of the amount by which the poverty level component (calculated under Section 1924(d)(3)(A)(i) of the Act, using the applicable percentage specified in Section 1924(d)(3)(B) exceeds the dependent family member's monthly income.

 a greater amount calculated as follows:

The following definition is used in lieu of the definition provided by the Secretary to determine the dependency of family members under Section 1924(d)(1):

The IRS definition of dependency for tax reporting purposes is used to define dependent children, parents, and siblings for purposes of deducting allowances under Section 1924.

State: Alabama

Citation	Condition or Requirement
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|-------------------------------|--|
| 435.725
435.733
435.832 | <ul style="list-style-type: none">c. Amounts for health care expenses described below<ul style="list-style-type: none">(i) Medicaid, Medicare, and other health insurance premiums, deductibles, or coinsurance charges, or copayments.(ii) Necessary medical or remedial care recognized under State law but not covered under the State Plan. (Reasonable limits on amounts are described in Supplement 3 to <u>ATTACHMENT 2.6-A</u>.)
4. In addition to any amounts deductible under the items above, the following monthly amounts are deducted from the remaining monthly income of an institutionalized individual or an institutionalized couple.<ul style="list-style-type: none">a. An amount for the maintenance needs of each member of a family living in the institutionalized individual's home with no community spouse living in the home. The amount must be based on a reasonable assessment of need but must not exceed the higher of the:<ul style="list-style-type: none">() AFDC level; or() Medically needy level:<p>(Check one)</p><ul style="list-style-type: none"><input checked="" type="checkbox"/> AFDC levels in Supplement 1<input type="checkbox"/> Medically needy level in Supplement 1<input type="checkbox"/> Other: \$ _____
b. Amounts for health care expenses described below that have not been deducted under 3.c above (i.e., for an institutionalized individual with a community spouse), are incurred by and for the institutionalized individual or institutionalized couple, and are not subject to the payment by a third party: |
|-------------------------------|--|

Citation	Condition or Requirement
	For individuals with greater need- ³
	(ii) AFDC related--*
	Children \$ _____ ⁴
	Adults \$ _____
	*For AFDC related individuals in the first partial month of institutionalization, the individual is considered to remain in the AFDC group and there is no patient liability for the initial partial month. In the second month (the first full month) of institutionalization, the individual is considered to be SSI-related and is given the same PNA as in Item B.2.a. above. For individuals returning to an AFDC group from the institution, for the last partial month of institutionalization, the individual is treated as an SSI-related individual for the entire month and is given the same PNA as in Item B.2.a. above. The individual is considered to return to the AFDC group in the second month (first full month) after being released from the institution.

³ Supplement 14 to Attachment 2.6-A describes the greater need; describes the basis or formula for determining the deductible amount when a specific amount is not listed above; lists the criteria to be met; and where appropriate, identifies the authority for approving that a criterion is met.

⁴ For individuals receiving a VA pension limited to up to \$90 a month under Section 601 of P.L. 102-568, the Personal Needs Allowance is the greater of the amount permitted to be paid under Section 601 (up to \$90) and the amount specified in this section.

Citation	Condition or Requirement
	For individuals with greater need- ⁵
	(iii) Individuals under age 21 covered in this plan as specified in Item B.7. of <u>ATTACHMENT 2.2-A</u> . \$ _____
	For individuals with greater need- ⁶
435.725 435.733 435.832	b. For the maintenance of each member of non-institutionalized family at home. The amount must be based on a reasonable assessment of need but must not exceed the higher of the: <ul style="list-style-type: none"> ° AFDC level; or ° Medically Needy level; <ul style="list-style-type: none"> -AFDC level \$ _____ *Refer to Supplement 1 to ATTACHMENT 2.6-A, Page 1.1 -Medically Needy level \$ _____ -Other \$ _____

⁵ Supplement 14 to Attachment 2.6-A describes the greater need; describes the basis or formula for determining the deductible amount when a specific amount is not listed above; lists the criteria to be met; and where appropriate, identifies the authority for approving that a criterion is met.

⁶ Supplement 14 to Attachment 2.6-A describes the greater need; describes the basis or formula for determining the deductible amount when a specific amount is not listed above; lists the criteria to be met; and where appropriate, identifies the authority for approving that a criterion is met.

State: Alabama

Citation

Condition or Requirement

- (i) Medicaid, Medicare, and other health insurance premiums, deductibles, or coinsurance charges, or copayments.
- (ii) Necessary medical or remedial care recognized under State law but not covered under the State Plan. (Reasonable limits on amounts are described in Supplement 3 to ATTACHMENT 2.6-A.)

435.725
435.733
435.832

5. At the option of the State, as specified below, the following is deducted from any remaining monthly income of an institutionalized individual, or an institutionalized couple:

A monthly amount for the maintenance of the home of the individual or couple for not longer than 6 months if a physician has certified that the individual, or one member of the institutionalized couple, is likely to return to the home within that period:

No.

Yes (the applicable amount is shown below.)

Amount for maintenance of home is:
\$ _____.

Amount for maintenance of home is the actual maintenance costs not to exceed \$ _____.

Amount for maintenance of home is deductible when countable income is determined under Section 1924(d)(1) of the Act only if the individual's home and the community spouse's home are different.

Amount for maintenance of home is not deductible when countable income is determined under Section 1924(d)(1) of the Act.

State: Alabama

Citation

Condition or Requirement

6. For children, each family member where there is no community spouse.
- AFDC Level \$ _____
(See Supplement 1 to Attachment 2.6-A, pages 1.1 and 1.2)
- Medically needy level \$ _____
- Others as follows \$ _____
7. Amounts for incurred medical expenses not subject to payment by a third party.
- a. Health insurance premiums, deductibles and co-insurance charges.
- b. Necessary medical or remedial care not covered under the Medicaid plan (Reasonable limits on amounts are described in Supplement 3 to ATTACHMENT 2.6-A.)
8. An amount for maintenance of a single individual's home for not longer than 6 months, if a physician has certified he or she is likely to return home within that period.
- Yes. Amount of maintenance of home
\$ _____
- No.
9. SSI benefits paid under Sections 1611(e)(1)(E) and (G) of the Act to individuals who receive care in a hospital or nursing facility.

1902(1) of the Act

STATE ALABAMA

Citation

Condition or Requirement

_____ 2. A fixed standard greater than the amount which would be used if the formula described in Section 1924(d)(1)(C) were used. The standard used is \$_____.

_____ c. The standards described above are used for individuals receiving home and community based waiver services in lieu of services provided in a medical and remedial care institution.

d. Definition of Dependency

The IRS definition of dependency for tax reporting purposes is used to define dependent children, parents and siblings for purposes of deducting allowances under Section 1924.

1902(1) of the Act,
P.L. 99-643
(Section 3(b))
435.711
435.721
435.831

C. Financial Eligibility - Categorically and Medically Needy, Qualified Medicare Beneficiaries and Qualified Disabled Working Individuals

Except as provided under Section 1924 of the Act the policies reflected in C. items 1-5 apply. See Supplement 13 for additional policies relative to Section 1924.

1. Income disregards - Categorically and Medically Needy, Qualified Medicare Beneficiaries and Qualified Disabled Working Individuals.

State: Alabama

Citation	Condition or Requirement
42 CFR 435.711 435.721, 435.831	<p data-bbox="524 468 1024 495">C. <u>Financial Eligibility</u></p> <p data-bbox="621 531 1511 625">For individuals who are AFDC or SSI recipients, the income and resource levels and methods for determining countable income and resources of</p> <p data-bbox="431 632 488 659">the</p> <p data-bbox="621 663 1539 751">AFDC and SSI program apply, unless the plan provides for more restrictive levels and methods than SSI for SSI recipients under section</p> <p data-bbox="431 758 561 785">1902(f)</p> <p data-bbox="431 821 505 848">tion</p> <p data-bbox="621 789 1495 877">of the Act, or more liberal methods under section 1902(r)(2) of the Act, as specified below.</p> <p data-bbox="621 915 1539 1066">For individuals who are not AFDC or SSI recipients in a non-section 1902(f) State and those who are deemed to be cash assistance recipients, the financial eligibility requirements specified in this section C apply.</p> <p data-bbox="621 1104 1555 1516"><u>Supplement 1 to ATTACHMENT 2.6-A</u> specifies the income levels for mandatory and optional categorically needy groups of individuals, including individuals with incomes related to the Federal income poverty level--pregnant women and infants or children covered under sections 1902(a)(10)(A)(i)(IV), 1902(a)(10)(A)(i)(VI), 1902(a)(10)(A)(i)(VII) and 1902(a)(10)(A)(ii)(IX) of the Act and aged and groups of qualified Medicare beneficiaries and Qualified Disabled Working Individuals covered under section 1902(a)(10)(E)(i) and 1902(a)(10)(E)(ii) of the Act.</p>

State: Alabama

Citation

Condition or Requirement

- _____ Supplement 2 to ATTACHMENT 2.6-A specifies the resource levels for mandatory and optional categorically needy poverty level related groups, and for medically needy groups.
- _____ Supplement 7 to ATTACHMENT 2.6-A specifies the income levels for categorically needy aged, blind and disabled persons who are covered under requirements more restrictive than SSI.
- _____ Supplement 4 to ATTACHMENT 2.6-A specifies the methods for determining income eligibility used by States that have more restrictive methods than SSI, permitted under section 1902(f) of the Act.
- _____ Supplement 5 to ATTACHMENT 2.6-A specifies the methods for determining resource eligibility used by States that have more restrictive methods than SSI, permitted under section 1902(f) of the Act.
- X _____ Supplement 8a to ATTACHMENT 2.6-A specifies the methods for determining income eligibility used by States that are more liberal than the methods of the cash assistance programs, permitted under section 1902(r)(2) of the Act.
- X _____ Supplement 8b to ATTACHMENT 2.6-A specifies the methods for determining resource eligibility used by States that are more liberal than the methods of the cash assistance programs, permitted under section 1902(r)(2) of the Act.
- _____ Supplement 14 to ATTACHMENT 2.6-A specifies the income levels used by States for determining eligibility of Tuberculosis-infected individuals whose eligibility is determined under section 1902(z)(1) of the Act.

State: Alabama

Citation	Condition or Requirement
1902(r)(2) of the Act	1. <u>Methods of Determining Income</u> a. <u>AFDC-related individuals (except for poverty level related pregnant women, infants, and children).</u> (1) In determining countable income for AFDC-related individuals, the following methods are used: _____(a) The methods under the State's approved AFDC plan only; or _____(b) The methods under the State's approved AFDC plan and/or any more liberal methods described in <u>Supplement 8a to Attachment 2.6A</u> (2) In determining relative financial responsibility, the agency considers only the income of spouses living in the same household as available to spouses and the income of parents as available to children living with parents until the children become 21.
1902(e)(6)	(3) Agency continues to treat women eligible under the provisions of sections 1902(a)(10) and 1902(e) of the Act as eligible, without regard to any changes in income of the family of which she is a member for the 60-day period after her pregnancy ends and any remaining days in the month in which the 60th day falls.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: Alabama

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
42 CFR 435.721 435.831, and 1902(m)(1)(B)(m)(4) and 1902(r)(2) of the Act	b. <u>Aged individuals.</u> In determining countable income for aged individuals, including aged individuals with income up to the Federal poverty level described in section 1902(m)(1) of the Act, the following methods are used. <p style="text-align: center;"><u> </u> The methods of the SSI program only.</p> <p style="text-align: center;"><u> X </u> The methods of the SSI program and/or any more liberal methods described in <u>Supplement 8a to ATTACHMENT 2.6-A.</u></p>

State: Alabama

Citation

Condition or Requirement

For individuals other than optional State supplement recipients, more restrictive methods than SSI, applied under the provisions of section 1902(f) of the Act, as specified in Supplement 4 to ATTACHMENT 2.6-A; and any more liberal methods described in Supplement 8a to ATTACHMENT 2.6-A.

For institutional couples, the methods specified under section 1611(e)(5) of the Act.

For optional State supplement recipients under §435.230, income methods more liberal than SSI, as specified in Supplement 4 to ATTACHMENT 2.6-A.

For optional State supplement recipients in section 1902(f) States and SSI criteria States without section 1616 or 1634 agreements--(SSA administered OSS)

___ SSI methods only.

___ SSI methods and/or any more liberal methods than SSI described in Supplement 8a to ATTACHMENT 2.6-A.

___ Methods more restrictive and/or more liberal than SSI. More restrictive methods are described in Supplement 4 to ATTACHMENT 2.6-A and more liberal methods are described in Supplement 8a to ATTACHMENT 2.6-A.

In determining relative financial responsibility, the agency considers only the income of spouses living in the same household as available to spouses.

State: Alabama

Citation	Condition or Requirement
42 CFR 435.721 and c. 435.831 1902(m)(1)(B), (m)(4), and 1902(r)(2) of the Act	<p><u>Blind individuals.</u> In determining countable income for blind individuals, the following methods are used:</p> <p>_____ The methods of the SSI program only.</p> <p><u>X</u> SSI methods and/or any more liberal methods described in <u>Supplement 8a to ATTACHMENT 2.6-A.</u></p> <p>_____ For individuals other than optional State supplement recipients, more restrictive methods than SSI, applied under the provisions of section 1902(f) of the Act, as specified in <u>Supplement 4 to ATTACHMENT 2.6-A</u>, and any more liberal methods described in <u>Supplement 8a to ATTACHMENT 2.6-A.</u></p> <p>_____ For institutional couples, the methods specified under section 1611(e)(5) of the Act.</p> <p>_____ For optional State supplement recipients under §435.230, income methods more liberal than SSI, as specified in <u>Supplement 4 to ATTACHMENT 2.6-A.</u></p> <p>_____ For optional State supplement recipients in section 1902(f) States and SSI criteria States without section 1616 or 1634 agreements--</p> <p>_____ SSI methods only.</p> <p>_____ SSI methods and/or any more liberal methods than SSI described in <u>Supplement 8a to ATTACHMENT 2.6-A.</u></p> <p>_____ Methods more restrictive and/ or more liberal than SSI. More restrictive methods are described in <u>Supplement 4 to ATTACHMENT 2.6-A</u> and more liberal methods are described in <u>Supplement 8a to ATTACHMENT 2.6-A.</u></p>

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TN No. AL-91-36 Approval Date 10-02-92 Effective Date 01-01-92
Supersedes
TN No. AL-90-33

State: Alabama

Citation

Condition or Requirement

In determining relative responsibility, the agency considers only the income of spouses living in the same household as available to spouses and the income of parents as available to children living with parents until the children become 21.

42 CFR 435.721,
and 435.831
1902(m)(1)(B),
(m)(4), and
1902(r)(2) of
the Act

d. Disabled individuals. In determining countable income of disabled individuals, including individuals with incomes up to the Federal poverty level described in section 1902(m) of the Act the following methods are used:

The methods of the SSI program.

SSI methods and/or any more liberal methods described in Supplement 8a to ATTACHMENT 2.6-A.

For institutional couples: the methods specified under section 1611(e)(5) of the Act.

For optional State supplement recipients under §435.230: income methods more liberal than SSI, as specified in Supplement 4 to ATTACHMENT 2.6-A.

For individuals other than optional State supplement recipients (except aged and disabled individuals described in section 1903(m)(1) of the Act): more restrictive methods than SSI, applied under the provisions of section 1902(f) of the Act, as specified in Supplement 4 to ATTACHMENT 2.6-A; and any more liberal methods described in Supplement 8a to ATTACHMENT 2.6-A.

State: Alabama

Citation	Condition or Requirement
_____	For optional State supplement recipients in section 1902(f) States and SSI criteria States without section 1616 or 1634 agreements--
_____	SSI methods only.
_____	SSI methods and/or any more liberal methods than SSI described in <u>Supplement 8a to ATTACHMENT 2.6-A.</u>
_____	Methods more restrictive and/or more liberal than SSI, except for aged and disabled individuals described in section 1902(m)(1) of the Act. More restrictive methods are described in <u>Supplement 4 to ATTACHMENT 2.6-A</u> and more liberal methods are specified in <u>Supplement 8a to ATTACHMENT</u>
	<u>2.6-A.</u>

In determining relative financial responsibility, the agency considers only the income of spouses living in the same household as available to spouses and the income of parents as available to children living with parents until the children become 21.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: Alabama

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
1902(1)(3)(E) and 1902(r)(2) of the act	e. <u>Poverty level pregnant women, infants, and children.</u> For pregnant women and infants or children covered under the provisions of sections 1902(a)(10)(A)(i)(IV), (VI), and (VII), and 1902(a)(10)(A)(ii)(IX) of the Act-- (1) The following methods are used in determining countable income: <u> The methods of the State's approved AFDC plan.</u> <u> The methods of the approved title IV-E plan.</u> <u> X The methods of the approved AFDC State plan and/or any more liberal methods described in Supplement 8a to ATTACHMENT 2.6-A.</u> <u> The methods of the approved title IV-E plan and/or any more liberal methods described in Supplement 8a to ATTACHMENT 2.6-A.</u>

TN No. AL-91-36 Approval Date 10-02-92 Effective Date 01-01-92
Supersedes
TN No. _____

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: Alabama

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
	(2) In determining relative financial responsibility, the agency considers only the income of spouses living in the same household as available to spouses and the income of parents as available to children living with parents until the children become 21.
1902(e)(6) of the Act	(3) The agency continues to treat women eligible under the provisions of sections 1902(a)(10) of the Act as eligible, without regard to any changes in income of the family of which she is a member, for the 60-day period after her pregnancy ends and any remaining days in the month in which the 60th day falls.
1905(p)(1), 1902(m)(4), and 1902(r)(2) of the Act	f. <u>Qualified Medicare beneficiaries.</u> In determining countable income for qualified Medicare beneficiaries covered under section 1902(a)(10)(E)(i) of the Act, the following methods are used: ___ The methods of the SSI program only. <u>X</u> SSI methods and/or any more liberal methods than SSI described in <u>Supplement 8a to ATTACHMENT 2.6-A.</u> ___ For institutional couples, the methods specified under section 1611(e)(5) of the Act.

State: Alabama

Citation	Condition or Requirement
1905(s) of the Act	<p>If an individual receives a title II benefit, any amounts attributable to the most recent increase in the monthly insurance benefit as a result of a title II COLA is not counted as income during a "transition period" beginning with January, when the title II benefit for December is received, and ending with the last day of the month following the month of publication of the revised annual federal poverty level.</p> <p>For individuals with title II income, the revised poverty levels are not effective until the first day of the month following the end of the transition period.</p> <p>For individuals not receiving title II income, the revised poverty levels are effective no later than the date of publication.</p> <p>For individuals not receiving title II income, the revised poverty levels are effective no later than the date of publication.</p> <p>g. (1) <u>Qualified disabled and working individuals.</u></p> <p>In determining countable income for qualified disabled and working individuals covered under 1902(a)(10)(E)(ii) of the Act, the methods of the SSI program are used.</p>
1905(p) of the Act	<p>(2) <u>Specified low-income Medicare beneficiaries.</u></p> <p>In determining countable income for specified low-income Medicare beneficiaries covered under 1902(a)(10)(E)(iiii) of the Act, the same method as in f. is used.</p>

State: Alabama

Citation	Condition or Requirement
1902(u) of the Act	<p data-bbox="521 428 1227 457">h. <u>COBRA Continuation Beneficiaries</u></p> <p data-bbox="615 491 1554 583">In determining countable income for COBRA continuation beneficiaries, the following disregards are applied:</p> <ul style="list-style-type: none"><li data-bbox="615 617 1357 646">_____ The disregards of the SSI program;<li data-bbox="615 680 1536 835">_____ The agency uses methodologies for treatment of income more restrictive than the SSI program. These more restrictive methodologies are described in Supplement 4 to Attachment 2.6-A. <p data-bbox="615 936 1536 1123">NOTE: For COBRA continuation beneficiaries specified at 1902(u)(4), costs incurred from medical care or for any other type of remedial care shall not be taken into account in determining income, except as provided in section 1612(b)(4)(B)(ii).</p>

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State: Alabama

Citation	Condition or Requirement
1902(k) of the Act	2. Medicaid Qualifying Trusts
the	In the case of a Medicaid qualifying trust described in section 1902(k)(2) of the Act, the amount from the trust that is deemed available to
to	individual who established the trust (or whose spouse established the trust) is the maximum amount that the trustee(s) is permitted under the trust to distribute to the individual. This amount is deemed available
April	the individual, whether or not the distribution is actually made. This provision does not apply to any trust or initial trust decree established before
ed	7, 1986, solely for the benefit of a mentally retarded individual who resides in an intermediate care facility for the mentally retarded.
	<input type="checkbox"/> The agency does not count the funds in a trust as described above in any instance where the State determines that it would work an undue hardship.
1902(a)(10) of the Act	3. Medically needy income levels (MNILs) are based on family size.
	<u>Supplement 1 to ATTACHMENT 2.6-A</u> specifies the MNILs for all covered medically needy groups. If the agency chooses more restrictive levels under section 1902(f) of the Act, <u>Supplement 1</u> so indicates.

State: Alabama

Citation	Condition or Requirement
42 CFR 435.732, 435.831	<p>4. Handling of Excess Income - Spend-down for the Medically Needy in All States and the Categorically Needy in 1902(f) States Only</p> <p>a. <u>Medically Needy</u></p> <p>(1) Income in excess of the MNIL is considered as available for payment of medical care and services. The Medicaid agency measures available income for periods of _____ month(s) (not to exceed 6 months) to determine the amount of excess countable income applicable to the cost of medical care and services.</p> <p>(2) If countable income exceeds the MNIL standard, the agency deducts the following incurred expenses in the following order:</p> <p>(a) Health insurance premiums, deductibles and coinsurance charges.</p> <p>(b) Expenses for necessary medical and remedial care not included in the plan.</p> <p>(c) Expenses for necessary medical and remedial care included in the plan.</p> <p>_____ Reasonable limits on amounts of expenses expenses deducted from income under a.(2)(a) and (b) above are listed below.</p> <p>1902(a)(17) of the Act</p> <p>Incurred expenses that are subject to payment by a third party are not deducted unless the expenses are subject to payment by a third party that is a publicly funded program (other than Medicaid) of a State or local government.</p>

State: Alabama

Citation	Condition or Requirement
1903(f)(2) of the Act	a. <u>Medically Needy (Continued)</u> ____ (3) If countable income exceeds the MNIL standard, the agency deducts spenddown payments made to the State by the individual.

State: Alabama

Citation	Condition or Requirement
42 CFR 435.732	<p>b. <u>Categorically Needy - Section 1902 (f) States</u></p> <p>The agency applies the following policy under the provisions of section 1902(f) of the Act. The following amounts are deducted from income to determine the individual's countable income:</p> <ol style="list-style-type: none">(1) Any SSI benefit received.(2) Any State supplement received that is within the scope of an agreement described in sections 1616 or 1634 of the Act, or a State supplement within the scope of section 1902(a)(10)(A)(ii)(XI) of the Act.(3) Increases in OASDI that are deducted under §§435.134 and 435.135 for individuals specified in that section, in the manner elected by the State under that section.(4) Other deductions from income described in this plan at <u>Attachment 2.6-A, Supplement 4</u>.(5) Incurred expenses for necessary medical and remedial services recognized under State law.
1902(a)(17) of the Act, P.L. 100-203	Incurred expenses that are subject to payment by a third party are not deducted unless the expenses are subject to payment by a third party that is a publicly funded program (other than Medicaid) of a State or local government.

State: Alabama

Citation	Condition or Requirement
1903(f)(2) of the Act	4.b. <u>Categorically Needy - Section 1902(f) States</u> Continued ____(6) Spenddown payments made to the State by the individual.
	NOTE: FFP will be reduced to the extent a State is paid a spenddown payment by the individual.

State: Alabama

Citation	Condition or Requirement
5. <u>Methods for Determining Resources</u>	
a. <u>AFDC-related individuals (except for poverty level related pregnant women, infants, and children).</u>	
	(1) In determining countable resources for AFDC-related individuals, the following methods are used:
	(a) The methods under the State's approved AFDC plan; and
<u> / /</u>	(b) The methods under the State's approved AFDC plan and/or any more liberal methods described in <u>Supplement 8b to ATTACHMENT 2.6-A.</u>
	(2) In determining relative financial responsibility, the agency considers only the resources of spouses living in the same household as available to spouses and the resources of parents as available to children living with parents until the children become 21.

State: Alabama

Citation	Condition or Requirement
1902(a)(10)(A), 1902(a)(10)(C), 1902(m)(1)(B) and (C), and 1902(r) of the Act	<p data-bbox="529 401 1256 428">5. <u>Methods for Determining Resources</u></p> <p data-bbox="626 464 1484 617">b. <u>Aged individuals</u>. For aged individuals, including individuals covered under section 1902(a)(10)(A)(ii)(X) of the Act, the agency used the following methods for treatment of resources:</p> <p data-bbox="626 657 1214 684">____ The methods of the SSI program.</p> <p data-bbox="545 724 1451 814"><u>X</u> SSI methods and/or any more liberal methods described in <u>Supplement 8b to ATTACHMENT 2.6-A</u>.</p> <p data-bbox="626 854 1451 1094">____ Methods that are more restrictive (except for individuals described in section 1902(m)(1) of the Act) and/or more liberal than those of the SSI program. <u>Supplement 5 to ATTACHMENT 2.6-A</u> describes the more restrictive methods and <u>Supplement 8b to ATTACHMENT 2.6-A</u> specifies the more liberal methods.</p>

State: Alabama

Citation	Condition or Requirement
1902(a)(10)(A), 1902(a)(10)(C), 1902(m)(1)(B), and 1902(r) of the Act	<p>In determining relative financial responsibility, the agency considers only the resources of spouses living in the same household as available to spouses.</p> <p>c. <u>Blind individuals.</u> For blind individuals the agency uses the following methods for treatment of resources:</p> <p>___ The methods of the SSI program.</p> <p><u>X</u> SSI methods and/or any more liberal methods described in <u>Supplement 8b to ATTACHMENT 2.6-A.</u></p> <p>___ Methods that are more restrictive and/or more liberal than those of the SSI program. <u>Supplement 5 to ATTACHMENT 2.6-A</u> describe the more restrictive methods and <u>Supplement 8b to ATTACHMENT 2.6-A</u> specify the more liberal methods.</p> <p>In determining relative financial responsibility, the agency considers only the resources of spouses living in the same household as available to spouses and the resources of parents as available to children living with parents until the children become 21.</p>

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State: Alabama

Citation	Condition or Requirement
1902(a)(10)(A), 1902(a)(10)(C), 1902(m)(1)(B) and (C), and 1902(r)(2) of the Act	<p>d. <u>Disabled individuals, including individuals covered under section 1902(a)(10)(A)(ii)(X) of the Act.</u> The agency uses the following methods for the treatment of resources:</p> <p>___ The methods of the SSI program.</p> <p><u>X</u> SSI methods and/or any more liberal methods described in <u>Supplement 8a to ATTACHMENT 2.6-A.</u></p> <p>___ Methods that are more restrictive (except for individuals described in section 1902(m)(1) of the Act) and/or more liberal than those under the SSI program. More restrictive methods are described in <u>Supplement 5 to ATTACHMENT 2.6-A</u> and more liberal methods are specified in <u>Supplement 8b to ATTACHMENT 2.6-A.</u></p>
1902(1)(3) and 1902(r)(2) of the Act	<p>In determining relative financial responsibility, the agency considers only the resources of spouses living in the same household as available to spouses and the resources of parents as available to children living with parents until the children become 21.</p> <p>e. <u>Poverty level pregnant women covered under sections 1902(a)(10)(A)(i)(IV) and 1902(a)(10)(A)(ii)(IX)(A) of the Act.</u></p> <p>The agency uses the following methods in the treatment of resources.</p> <p>___ The methods of the SSI program only.</p> <p>___ The methods of the SSI program and/or any more liberal methods described in <u>Supplement 5a or Supplement 8b to ATTACHMENT 2.6-A.</u></p>

State: Alabama

Citation	Condition or Requirement
	<p>___ Methods that are more liberal than those of SSI. The more liberal methods are specified in <u>Supplement 5a or Supplement 8b to ATTACHMENT 2.6-A.</u></p>
	<p><u>X</u> Not applicable. The agency does not consider resources in determining eligibility.</p>
	<p>In determining relative financial responsibility, the agency considers only the resources of spouses living in the same household as available to spouses and the resources of parents as available to children living with parents until the children become 21.</p>
1902(1)(3) and 1902(r)(2) of the Act	<p>f. <u>Poverty level infants covered under section 1902(a)(10)(A)(i)(IV) of the Act.</u></p> <p>The agency uses the following methods for the treatment of resources:</p> <p>___ The methods of the State's approved AFDC plan.</p>
1902(1)(3)(C) of the Act	<p>___ Methods more liberal than those in the State's approved AFDC plan (but not more restrictive), in accordance with section 1902(1)(3)(C) of the Act, as specified in <u>Supplement 5a of ATTACHMENT 2.6-A.</u></p>
1902(r)(2) of the Act	<p>___ Methods more liberal than those in the State's approved AFDC plan (but not more restrictive), as described in <u>Supplement 5a or Supplement 8b to ATTACHMENT 2.6-A.</u></p> <p><u>X</u> Not applicable. The agency does not consider resources in determining eligibility.</p>

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: Alabama

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement
1902(l)(3) and sections 1902(r)(2) of the Act	g. 1. <u>Poverty level children covered under 1902(a)(10)(A)(i)(VI) of the Act.</u> The agency uses the following methods for the treatment of resources: <input type="checkbox"/> The methods of the State's approved AFDC plan. <input type="checkbox"/> Methods more liberal than those in the State's approved AFDC plan (but not more restrictive), in accordance with section 1902(l)(3)(C) of the Act, as specified in <u>Supplement 5a of ATTACHMENT 2.6-A.</u> <input type="checkbox"/> Methods more liberal than those in the State's approved AFDC plan (but not more restrictive), as described in <u>Supplement 8b to ATTACHMENT 2.6-A.</u> <input checked="" type="checkbox"/> Not applicable. The agency does not consider resources in determining eligibility.
1902(l)(3)(C) of the Act	
1902(r)(2) of the Act	

In determining relative financial responsibility, the agency considers only the resources of spouses living in the same household as available to spouses and the resources of parents as available to children living with parents until the children become 21.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: ALABAMA

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement
1902(1)(3) and 1902(r)(2) of the Act	g. 2. <u>Poverty level children under section 1902(a)(10)(A)(i)(VII)</u> The agency uses the following methods for the treatment of resources: ___ The methods of the State's approved AFDC plan. ___ Methods more liberal than those in the State's approved AFDC plan (but not more restrictive) as specified in <u>Supplement 5a of ATTACHMENT 2.6-A.</u> ___ Methods more liberal than those in the State's approved AFDC plan (but not more restrictive), as described in <u>Supplement 8a to ATTACHMENT 2.6-A.</u> <u>X</u> Not applicable. The agency does not consider resources in determining eligibility. In determining relative responsibility, the agency considers only the resources of spouses living in the same household as available to spouses and the resources of parents as available to children living with parents until the children become 21.
1902(1)(3)(C) the Act	
1902(r)(2) of the Act	

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State: Alabama

Citation	Condition or Requirement
1905(p)(1) (C) and (D) and 1902(r)(2) of the Act	5. h. <u>For qualified Medicare beneficiaries covered under section 1902(a)(10)(E)(i) of the Act</u> the Agency uses the following methods for treatment of resources: ___ The methods of the SSI program only. <u>X</u> The methods of the SSI program and/or more liberal methods as described in <u>Supplement 8b to ATTACHMENT 2.6-A.</u>
1905(s) of the Act	i. For qualified disabled and working individuals covered under section 1902(a)(10)(E)(ii) of the Act, the agency uses SSI program methods for the treatment of resources.
1902(u) of the Act	j. For COBRA continuation beneficiaries, the agency uses the following methods for treatment of resources: ___ The methods of the SSI program only. ___ More restrictive methods applied under section 1902(f) of the Act as described in Supplement 5 to Attachment 2.6-A.

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TN No. AL-91-33

State: Alabama

Citation

Condition or Requirement

1902(a)(10)
(E)(iii) of
the Act

k. Specified low-income Medicare beneficiaries covered under section 1902(a)(10)(E)(iii) of the Act--

The agency uses the same method as in 5.h. of Attachment 2.6-A.

6. Resource Standard - Categorically Needy

a. 1902(f) States (except as specified under items 6.c. and d. below) for aged, blind and disabled individuals:

___ Same as SSI resource standards.

___ More restrictive.

The resource standards for other individuals are the same as those in the related cash assistance program.

b. Non-1902(f) States (except as specified under items 6.c. and d. below)

The resource standards are the same as those in the related cash assistance program.

Supplement 8 to ATTACHMENT 2.6-A specifies for 1902(f) States the categorically needy resource levels for all covered categorically needy groups.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: Alabama

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
1902(1)(3)(A), (B) and (C) of the Act	c. For pregnant women and infants covered under the provisions of section 1902(a)(10)(A)(i)(IV) and 1902(a)(10)(A)(ii)(IX) of the Act, the agency applies a resource standard. <input type="checkbox"/> Yes. <u>Supplement 2 to ATTACHMENT 2.6-A</u> specifies the standard which, for pregnant women, is no more restrictive than the standard under the SSI program; and for infants is no more restrictive than the standard applied in the State's approved AFDC plan. <input checked="" type="checkbox"/> No. The agency does not apply a resource standard to these individuals.
1902(1)(3)(A) and (C) of	d. For children covered under the provisions of section 1902(a)(10)(A)(i)(VI) of the Act, the agency applies a resource standard. <input type="checkbox"/> Yes. <u>Supplement 2 to ATTACHMENT 2.6-A</u> specifies the standard which is no more restrictive than the standard applied in the State's approved AFDC plan. <input checked="" type="checkbox"/> No. The agency does not apply a resource standard to these individuals.

State: Alabama

Citation	Condition or Requirement
1902(m)(1)(C) and (m)(2)(B) of the Act	e. For aged and disabled individuals described in section 1902(m)(1) of the Act who are covered under section 1902(a)(10)(A)(ii)(X) of the Act, the resource standard is: ___ Same as SSI resource standards. ___ Same as the medically needy resource standards, which are higher than the SSI resource standards (if the State covers the medically needy).
<u>Supplement 2 to ATTACHMENT 2.6-A</u> specifies the resource levels for these individuals.	

State: Alabama

Citation	Condition or Requirement
1902(a)(10)(C)(i) of the Act	<p>7. Resource Standard - Medically Needy</p> <p>a. Resource standards are based on family size.</p> <p>b. A single standard is employed in determining resource eligibility for all groups.</p> <p>c. In 1902(f) States, the resource standards are more restrictive than in 7.b. above for--</p> <p>___ Aged</p> <p>___ Blind</p> <p>___ Disabled</p> <p><u>Supplement 2 to ATTACHMENT 2.6-A</u> specifies the resource standards for all covered medically needy groups. If the agency chooses more restrictive levels under 7.c., <u>Supplement 2 to ATTACHMENT 2.6-A</u> so indicates.</p>
1902(a)(10)(E), 1905(p)(1)(D), 1905(p)(2)(B) and 1860D-14(a)(3)(D) of the Act	<p>8. Resource Standard - Qualified Medicare Beneficiaries, Specified Low-Income Medicare Beneficiaries and Qualifying Individuals</p> <p>For Qualified Medicare Beneficiaries covered under section 1902(a)(10)(E)(i) of the Act, Specified Low-Income Medicare Beneficiaries covered under section 1902(a)(10)(E)(iii) of the Act, and Qualifying Individuals covered under 1902(a)(10)(E)(iv) of the Act, the resource standard is three times the SSI resource limit, adjusted annually since 1996 by the increase in the consumer price index.</p>
1902(a)(10)(E)(ii), 1905(s) and 1860D-14(a)(3)(D) of the Act	<p>9. Resource Standard - Qualified Disabled and Working Individuals</p> <p>For qualified disabled and working individuals covered under section 1902(a)(10)(E)(ii) of the Act, the resource standard for an individual or a couple (in the case of an individual with a spouse) is two times the SSI resource limit.</p>

State: Alabama

Citation

Condition or Requirement

1902(u) of the Act 9.1 For COBRA continuation beneficiaries, the resource standard is:

_____ Twice the SSI resource standard for an individual.

_____ More restrictive standard as applied under section 1902(f) of the Act as described in Supplement 8 to Attachment 2.6-A.

State: Alabama

Citation	Condition or Requirement
1902(u) of the Act	<p>10. Excess Resources</p> <p>a. Categorically Needy, Qualified Medicare Beneficiaries, Qualified Disabled and Working Individuals, and Specified Low-Income Medicare Beneficiaries.</p> <p>Any excess resources make the individual ineligible.</p> <p>b. Categorically Needy Only</p> <p><u>X</u> This State has a section 1634 agreement with SSI. Receipt of SSI is provided for individuals while disposing of excess resources.</p> <p>c. Medically Needy</p> <p>Any excess resources make the individual ineligible.</p>

State: Alabama

Citation	Condition or Requirement
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42 CFR 11. Effective Date of Eligibility
435.914

a. Groups Other Than Qualified Medicare Beneficiaries

(1) For the prospective period.

Coverage is available for the full month if the following individuals are eligible at any time during the month.

- Aged, blind, disabled.
- AFDC-related.

Coverage is available only for the period during the month for which the following individuals meet the eligibility requirements.

- Aged, blind, disabled.
- AFDC-related.

(2) For the retroactive period.

Coverage is available for three months before the date of application if the following individuals would have been eligible had they applied:

- Aged, blind, disabled.
- AFDC-related.

Coverage is available beginning the first day of the third month before the date of application if the following individuals would have been eligible at any time during that month, had they applied..

- Aged, blind, disabled.
- AFDC-related.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: Alabama

Citation

Condition or Requirement

1920(b)(1) of
the Act

 (3) For a presumptive eligibility
period for pregnant women only.

Coverage is available for ambulatory prenatal care for the period that begins on the date a qualified provider determines that a woman meets any of the income eligibility levels specified in ATTACHMENT 2.6-A of this approved plan. If the woman files an application for Medicaid by the last day of the month following the month in which the qualified provider made the determination of presumptive eligibility, the period ends on the day that the State agency makes the determination of eligibility based on that application. If the woman does not file an application for Medicaid by the last day of the month following the month in which the qualified provider made the determination, the period ends on that last day.

1902(e)(8) and
1905(a) of the
Act

 X b. For qualified Medicare beneficiaries
defined in section 1905(p)(1) of the
Act, coverage is available beginning
with the first day of the month after
the month in which the individual is
first determined to be a qualified
Medicare beneficiary under section
1905(p)(1). The eligibility
determination is valid for--

 X 12 months

 6 months

 months (no less than 6
months and no more than 12 months)

Citation

Condition or Requirement

Section 12. Pre-OBRA 93 Transfer of Resources -
1902(a)(18) Categorically and Medically Needy, Qualified Medicare
and 1902(f) of Beneficiaries, and Qualified Disabled and Working
the Act Individuals.

The agency complies with the provisions of section 1917 of the Act with respect to the transfer of resources.

Disposal of resources at less than fair market value affects eligibility for certain services as detailed in Supplement 9 to Attachment 2.6-A.

1917(c) 13. Transfer of Assets - All eligibility groups

The agency complies with the provisions of section 1917(c) of the Act, as enacted by OBRA 93, with regard to the transfer of assets.

Disposal of assets at less than fair market value affects eligibility for certain services as detailed in Supplement 9(a) to ATTACHMENT 2.6-A, except in instances where the agency determines that the transfer rules would work an undue hardship.

1917(d) 14. Treatment of Trusts - All eligibility groups

The agency complies with the provisions of section 1917(d) of the Act, as amended by OBRA 93, with regard to trusts.

____ The agency uses more restrictive methodologies under section 1902(f) of the Act, and applies those methodologies in dealing with trusts;

X The agency meets the requirements in section 1917(d)(f)(B) of the act for use of Miller trusts.

The agency does not count the funds in a trust in any instance where the agency determines that the transfer would work an undue hardship, as described in Supplement 10 to ATTACHMENT 2.6-A.

State: Alabama

Citation	Condition or Requirement
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1924 of the
Act

15. The Agency complies with the provisions of Section 1924 with respect to income and resource eligibility and posteligibility determinations for individuals who are expected to be institutionalized for at least 30 consecutive days and who have a spouse living in the community.

When applying the formula used to determine the amount of resources in initial eligibility determinations, the State standard for community spouses is:

the maximum standard permitted by law.

the minimum standard permitted by law; or

\$25,000.00 a standard that is an amount between the minimum and the maximum.